

## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/083,891	02/26/2002	Jay Baker	2705-172	7487
20575	7590 11/16/2006		EXAMINER	
MARGER JOHNSON & MCCOLLOM, P.C. 210 SW MORRISON STREET, SUITE 400			SALAD, ABDULLAHI ELMI	
	RRISON STREET, SUITE ), OR 97204	400	ART UNIT PAPER NUMBER	
			2157	
			DATE MAILED: 11/16/2006	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Salad £. Abdullahi		Application No.	Applicant(s)	
Salad E. Abdullahi   2157		10/083,891	BAKER ET AL.	
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provision of 37 CFR 1:36(a). In a owent, however, may a reply be timely filed after 51X (5) MONTHS from the mailing date of this communication of 37 CFR 1:36(a). In a owent, however, may a reply be timely filed after 51X (5) MONTHS from the mailing date of this communication.  I FIND period circ reply is specified above, the insurement selection period will apply and will expire 30X (5) MONTHS from the mailing date of this communication.  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any resolute term suplication in the control of the mail of the communication.  This action is FINAL. 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 2-13 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5 Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are allowed.  10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. Sea 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. Sea 37 CFR 1.121(d).  11) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. Sea 37 CFR 1.85(a). Replacement drawing sheet(s) including the	Office Action Summary	Examiner	Art Unit	
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of from any be available under the provisions of 37 CFR 1.138(d). In no worst, however, may a regly be limitly filled.  Extensions of from any be available under the provisions of 37 CFR 1.138(d). In no worst, however, may a regly be limitly filled.  If NO period for reply is specified above, the maximum statutory provide was apply and will explicit Six (g) MONTHS from the mailing date of this communication.  Falue to reply within the set or extended for reply will, by statute, cause the application to become ABANCONED (63 U.S. C § 1.33). Any reply-certain term adjustment. See 97 CFR 1.704(b).  Status  1) M Responsive to communication(s) filled on 24 August 2006.  2a) This action is FINAL.  2b) This action is reply subject to the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 2-13 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  7) Claim(s) is/are allowed.  8) Claim(s) is/are allowed.  9) The specification is objected to by the Examiner.  Application Papers  9) The specification is objected to the striction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received in thi		Salad E. Abdullahi	2157	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Extractions of them may be available under the provides of 30°CFR 1.73(e). In no event, however, may a reply be timely filled to the second of the communication of 30°CFR 1.73(e). In no event, however, may a reply be timely filled on 1 to Port of the communication of 1 to Port of the second of the communication of 1 to Port of the second of the communication.  Failus to may which the set or extended period for reply the by statute, cause the application to become ABANDONED (35 U.S. 2§ 133). Any reply received by the Office later than three monitors after the mailing date of this communication, even if timely filled, may reduce any senter place than segmentation and sentence of the communication, even if timely filled, may reduce any sentence place than sequence that sentence in the second of the communication.  Status  1) Second of the communication of the second of the communication of the		pears on the cover sheet with the c	correspondence address	
1) Responsive to communication(s) filed on 24 August 2006. 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims 4) ☐ Claim(s) 2-13 and 15-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 ☐ Claim(s) 2-13 and 15-20 is/are rejected. 6 ☐ Claim(s) 2-13 and 15-20 is/are rejected. 7 ☐ Claim(s) is/are objected to. 8 ☐ Claim(s) is/are objected to. 8 ☐ Claim(s) is/are objected to by the Examiner. 10 ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Application Papers 9 ☐ The specification is objected to by the Examiner. 10 ☐ The drawing(s) filed on is/are: a) ☐ accepted or b ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12 ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.	A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D.  - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tir will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	N. nely filed the mailing date of this communication. (D) (35 U.S.C. § 133).	
2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 2-13 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  6)  Claim(s) 2-13 and 15-20 is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to.  8)  Claim(s) is/are objected to by the Examiner.  10)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b) Some * c) None of:  1.  Certified copies of the priority documents have been received in Application No.  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.	Status			
Application of Claims  4) Claim(s) 2-13 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) 2-13 and 15-20 is/are rejected.  7) Claim(s) is/are objected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some colouing for the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.	2a) ☐ This action is <b>FINAL</b> . 2b) ☐ This 3) ☐ Since this application is in condition for allowa	action is non-final. nce except for formal matters, pro		
4)  Claim(s) 2-13 and 15-20 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) 2-13 and 15-20 is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c) None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.	·	,		
9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)	<ul> <li>4a) Of the above claim(s) is/are withdrages</li> <li>5) ☐ Claim(s) is/are allowed.</li> <li>6) ☒ Claim(s) <u>2-13 and 15-20</u> is/are rejected.</li> <li>7) ☐ Claim(s) is/are objected to.</li> </ul>	wn from consideration.		
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Attachment(s)  Paper No(s)/Mail Date	Application Papers			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	10) The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct	epted or b) objected to by the drawing(s) be held in abeyance. Se tion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).	
a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Priority under 35 U.S.C. § 119			
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date	<ul> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority document</li> <li>2. Certified copies of the priority document</li> <li>3. Copies of the certified copies of the priority document</li> </ul>	is have been received. is have been received in Applicat rity documents have been receive u (PCT Rule 17.2(a)).	ion No ed in this National Stage	
3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application 6) Other:	1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08)	Paper No(s)/Mail D  5) Notice of Informal F	ate	

Application/Control Number: 10/083,891 Page 2

Art Unit: 2157

## Response

1. The response filed on 8/24/2006 has been received and made of record.

2. Applicant's arguments with respect to claims 2-13 and 15-20 have been fully considered but are most in view of new ground of rejection.

## Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

- 4. Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
- 5. Claims 2-13 and 15-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

For example:

Claim 33, recites a method comprising the steps of.

receiving a message from an Internet user, the message requesting information provided at a content provider address;

determining whether or not the content provider address has a corresponding alterative address, the corresponding alternative address providing at least part of the information provided at the content provider address; and determining whether or not the requested information is within the at least part of the information"

- 6. The claims lack concrete, useful and tangible result.
- 7. The claimed invention as a whole must be useful and accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State

Application/Control Number: 10/083,891 Page 3

Art Unit: 2157

Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96 (1966)); In re Fisher, 421 F.3d 1365, 76 USPQ2d 1225 (Fed. Cir. 2005); In re Ziegler, 992 F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)).

8. Claims 2-13 and 15-20 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed invention is not supported by either a asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed invention.

## Conclusion

- 9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- 10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number: 10/083,891 Page 4

Art Unit: 2157

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdullahi Salad 11/13/2006 ABOUN AHISALAD PAIMARY EXAMINER